

AMENDMENT TO THE CLAIMS

1. (Currently Amended) A method for dispensing a substitute product, comprising:
receiving a selection of a first product from a purchaser; ~~and~~
determining an expiration date associated with each of a plurality of products;
determining a substitute product comprising one of the plurality of products
associated with the earliest of the determined expiration dates; and
if the first product is not available: [[,]]
retrieving a substitute product identifier corresponding to [[a]] the
substitute product; and
offering the substitute product to the purchaser.
2. (Currently Amended) The method of claim 1, further comprising:
receiving an amount of money from [[a]] the purchaser.
- 3-5. (Cancelled)
6. (Original) The method of claim 1, further comprising:
determining an availability of the first product.
7. (Original) The method of claim 1, further comprising:
recording a value corresponding to the selection of the first product.
8. (Original) The method of claim 7, wherein the value includes one of: a first
product identifier corresponding to the first product, a time the first product was selected,
a date the first product was selected and an availability of the first product.
9. (Currently Amended) The method of claim 1, further comprising:
storing, for the first product, [[a]] the substitute product identifier corresponding
to [[a]] the substitute product.

10-16. (Cancelled)

17. (Original) The method of claim 1, wherein the offering step further comprises:
offering the substitute product to the consumer at a discounted price.

18-29. (Cancelled)

30. (Original) The method of claim 1, wherein the first product is a service.

31. (Original) The method of claim 1, wherein the substitute product is a service.

32. (Original) A method for dispensing a substitute product, comprising:
measuring a demand for each of a plurality of products;
determining from the demand a substitute product for a first product; and
storing, for the first product, a substitute product identifier corresponding to the
substitute product.

33. (Original) The method of claim 32, further comprising:
receiving a selection of the first product;
determining an availability of the first product; and
offering the substitute product if the first product is unavailable.

34. (Original) The method of claim 33, wherein the step of offering the substitute
product further comprises:
offering the substitute product at a discounted price.

35-50. (Cancelled)

51. (Original) The method of claim 32, wherein the first product is a service.

52. (Original) The method of claim 32, wherein the substitute product is a service.

53. (Original) A method for dispensing a substitute product, comprising:
determining an average selection time;
detecting a purchaser;
measuring a time from a detection of the purchaser; and
if the time is greater than the average selection time;
offering a first product to the purchaser.
54. (Original) The method of claim 53, wherein the detecting step is performed by at least one of:
a motion detector, an infrared detector, an acoustic signal detector, and a pressure detector.
55. (Original) The method of claim 53, further comprising:
measuring a first product demand corresponding to the first product; and
measuring a demand for each of a plurality of remaining products; and
comparing the first product demand to the demand for each of the plurality of remaining products.
56. (Original) The method of claim 55, wherein the offering step further comprises:
offering the first product to the purchaser if the first product demand is greater than the demand for each of the plurality of remaining products.
57. (Original) The method of claim 55, wherein the offering step further comprises:
offering the first product to the purchaser if the first product demand is lower than the demand for each of the plurality of remaining products.
58. (Original) The method of claim 53, further comprising:
storing a first product expiration date corresponding to the first product; and
storing at least one expiration date corresponding to each of a plurality of remaining products.

59. (Original) The method of claim 58, further comprising:
offering the first product to the purchaser if the first product expiration date is earlier than the at least one expiration date.
60. (Original) The method of claim 53, wherein the first product is a predetermined product.
61. (Original) The method of claim 53, wherein the first product is a service.
- 62-75. (Cancelled)
76. (Currently Amended) An apparatus comprising:
a vending machine; and
a device in communication with the vending machine,
in which the apparatus is operable to
receive a selection of a first product from a purchaser;
determine an expiration date associated with each of a plurality of
products;
determine a substitute product comprising one of the plurality of products
associated with the earliest of the determined expiration dates;
retrieve a substitute product identifier corresponding to [[a]] the substitute
product; and
offer the substitute product to the purchaser.
77. (Original) The apparatus of claim 76, in which the device is operable to:
receive payment from a purchaser.
78. (Original) The apparatus of claim 77, in which the device is operable to:
instruct the vending machine that payment has been received.

79. (Original) The apparatus of claim 76, in which the device is operable to:
receive data via a network.
80. (Original) The apparatus of claim 80, in which the device is operable to:
display to a purchaser data received via the network.
81. (Original) The apparatus of claim 76, in which the device is operable to:
receive input from a purchaser.
82. (Original) The apparatus of claim 81, in which the device is operable to:
receive input from a purchaser via a touch screen.
83. (Cancelled)
84. (New) The method of claim 32, wherein the measuring of the demand for each of
the plurality of products comprises:
determining a first demand for a second product from the plurality of products.
85. (New) The method of claim 84, wherein the measuring of the demand for each of
the plurality of products further comprises:
determining a second demand for a third product from the plurality of products.
86. (New) The method of claim 85, wherein the determining of the substitute product
comprises:
comparing the first and second demands; and
selecting, based on the comparing and on a pre-defined demand criteria, one of
the second and third products to be the substitute product.
87. (New) The method of claim 86, wherein the pre-defined demand criteria
comprises a rule that the substitute product be associated with a lower one of the first and
second demands.

88. (New) The method of claim 86, wherein the pre-defined demand criteria comprises a rule that the substitute product be associated with a higher one of the first and second demands.

89. (New) The method of claim 84, wherein the determining of the substitute product comprises:

determining that the first demand of the second product satisfies a pre-defined condition; and

selecting the second product to be the substitute product.

90. (New) The method of claim 89, further comprising:

determining, based on the first demand of the second product, a discounted price at which the second product should be offered as the substitute product.

91. (New) The method of claim 32, wherein the demand is measured based at least in part on the number of times each of the plurality of products has been selected by a consumer.